

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-30. (cancelled)

31. (currently amended) Plant cells, comprising heterologous DNA encoding an EG307 polypeptide, wherein said polypeptide is capable of increasing the yield of a plant, wherein said polypeptide is selected from the group consisting of :

- a) a polypeptide encoded by a polynucleotide selected from the group consisting of SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO: 91, SEQ ID NO:33, SEQ ID NO:34, and SEQ ID NO:35 ;
- b) a polypeptide encoded by a polynucleotide having at least ~~84%~~75% sequence identity to a polynucleotide in a);
- c) a polypeptide comprising SEQ ID NO:6 or SEQ ID NO:36; and
- d) a polypeptide having at least ~~84%~~75% sequence identity to a polypeptide of c).

32. (original) A propagation material of a transgenic plant comprising the transgenic plant cell according to claim 31.

33. (currently amended) A transgenic plant containing heterologous DNA which encodes an EG307 polypeptide that is expressed in plant tissue, wherein said polypeptide increases the yield of the plant, and said polypeptide is selected from the group consisting of :

- a) a polypeptide encoded by a polynucleotide selected from the group consisting of SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO: 91, SEQ ID NO:33, SEQ ID NO:34, and SEQ ID NO:35;
- b) a polypeptide encoded by a polynucleotide having at least ~~84%~~75% sequence identity to a polynucleotide in a);
- c) a polypeptide comprising SEQ ID NO:6 or SEQ ID NO:36; and

d) a polypeptide having at least ~~84%~~75% sequence identity to a polypeptide of c) and which confers substantially the same yield as the polypeptide of c).

34. (currently amended) An isolated polynucleotide which includes a promoter operably linked to a polynucleotide that encodes ~~the~~ an EG307 gene in plant tissue, wherein said polynucleotide is capable of increasing the yield of a plant, said polynucleotide selected from the group consisting of:

- a) a polynucleotide selected from the group consisting of SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO: 91, SEQ ID NO:33, SEQ ID NO:34, and SEQ ID NO:35;
- b) a polynucleotide having at least ~~84%~~75% sequence identity to a polynucleotide of a),
- c) a polynucleotide encoding a polypeptide comprising SEQ ID NO: 6; and
- d) a polynucleotide encoding a polypeptide comprising a protein having at least ~~84%~~75% sequence identity to SEQ ID NO: 6, and which confers substantially the same yield as the polypeptide of c).

35. (original) The isolated polynucleotide of Claim 34, wherein said polynucleotide is a recombinant polynucleotide.

36. (previously presented) The polynucleotide of claim 34, wherein the promoter is the promoter native to an EG307 gene.

37-44. (cancelled).

45. (currently amended) A transfected host cell comprising a host cell transfected with a construct comprising a promoter, enhancer or intron polynucleotide from an evolutionarily significant EG307 polynucleotide or any combination thereof, operably linked to a polynucleotide encoding a reporter protein, wherein said EG307 polynucleotide is capable of increasing the yield of a plant, wherein said EG307 polynucleotide is selected from the group consisting of:

- a) a polynucleotide ~~comprising~~ selected from the group consisting of SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO: 91, SEQ ID NO:33, SEQ ID NO:34, and SEQ ID NO:35;
- b) a polynucleotide having at least ~~84%~~75% sequence identity to a

polynucleotide of a),

- c) a polynucleotide encoding a polypeptide comprising SEQ ID NO: 6; and
- d) a polynucleotide encoding a polypeptide comprising a protein having at least ~~84%~~75% sequence identity to SEQ ID NO: 6, and which confers substantially the same yield as the polypeptide of c).

46. (currently amended) A method of identifying an agent which may modulate yield, said method comprising contacting at least one candidate agent with a plant or cell comprising an EG307 gene, wherein the agent is identified by its ability to modulate yield, wherein said EG307 gene is capable of increasing the yield of a plant, and wherein said EG307 gene comprises a polynucleotide selected from the group consisting of:

- a) a polynucleotide selected from the group consisting of SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO: 91, SEQ ID NO:33, SEQ ID NO:34, and SEQ ID NO:35;
- b) a polynucleotide having at least ~~84%~~75% sequence identity to a polynucleotide of a),
- c) a polynucleotide encoding a polypeptide comprising SEQ ID NO: 6; and
- d) a polynucleotide encoding a polypeptide comprising a protein having at least ~~84%~~75% sequence identity to SEQ ID NO: 6, and which confers substantially the same yield as the polypeptide of c).

47. (previously presented) The method of Claim 46, wherein the plant or cell is transfected with a polynucleotide of a), b), c), or d).

48. (cancelled)

49. (original) The method of claim 46, wherein said identified agent modulates yield by modulating a function of the polynucleotide encoding the polypeptide.

50. (original) The method of claim 46, wherein said identified agent modulates yield by modulating a function of the polypeptide.

51. (cancelled)

52. (cancelled)

53. (currently amended) A method of producing an EG307 polypeptide comprising:
- a) providing a cell transfected with a polynucleotide encoding an EG307 polypeptide positioned for expression in the cell;
  - b) culturing the transfected cell under conditions for expressing the polynucleotide; and
  - c) isolating the EG307 polypeptide, wherein said polypeptide is selected from the group consisting of :
    - i) a polypeptide encoded by a polynucleotide selected from the group consisting of SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO: 91, SEQ ID NO:33, SEQ ID NO:34, and SEQ ID NO:35;
    - ii) a polypeptide encoded by a polynucleotide having at least ~~84%~~75% sequence identity to a polynucleotide in i);
    - iii) a polypeptide comprising SEQ ID NO:6 or SEQ ID NO:36; and
    - iv) a polypeptide having at least ~~84%~~75% sequence identity to a polypeptide of iii).

54-79. (cancelled)